

Remarks

Introduction

Upon entry of the foregoing amendment, claims 1-11 are pending in the application. Claims 1-4 have been amended. New claims 5-11 have been added. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Objections to the Drawings

Page 2, item 1 of the Office Action includes an Objection to FIGS. 1 and 2 due to minor informalities. We have amended FIGS. 1 and 2 in response to the Examiner's concerns. Please refer to the enclosed Replacement Sheets to respectively replace previously presented FIGS. 1 and 2 with amended FIGS. 1 and 2.

Rejection under 35 USC § 102

Claims 1-4 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,747,364 to Shibuya et al. (hereinafter "Shibuya"). Applicant respectfully requests reconsideration and withdrawal of this rejection for at least the following reasons.

Independent Claim 1

The Office Action dated August 6, 2008 states that FIG. 5 and the Abstract of Shibuya disclose all the limitations as recited in independent claim 1. See page 2, item 3 of the Office Action dated August 6, 2003. More specifically, the Examiner relies on a motor 29 and a worm gear 29a as allegedly reading on Applicant's inclining means and rotation force transmitting means, as previously recited in independent claim 1. However, for at least the following reasons, Applicant asserts that Shibuya does not teach or disclose the limitations of independent claim 1 as presently recited. In other words, the Examiner's rejection is improper because a *prima facie* case of unpatentability has not been established.

Independent claim 1 has been amended as shown, and Shibuya fails to teach or disclose, among other things, "an inclining unit to transfer a rotational force to the AV front panel to incline the AV front panel, a rotation transmitting unit to transfer a rotational force of a motor to the

inclinining unit to incline the AV front panel, and an opening and closing unit to couple with the inclinining unit to open and close the AV front panel in response to a combination of the transferred rotational force of the rotation transmitting unit and the linear movement of the converting means,” as presently recited in claim 1.

Referring to FIGS. 7A through 7C of Shibuya, it is clear that Shibuya is limited to a position changing arm 31 which changes a position of a face 10 without receiving a rotational force from a motor. In other words, Shibuya's position changing arm 31 is merely rotatably coupled to the face 10 by a support pin 13 at a first end thereof, and slidably coupled at a second end thereof to a guiding section 33 of a reciprocating member 23 by a control pin 32. See column 13, lines 44-46 and column 15, lines 35-40 of Shibuya. Therefore, when Shibuya's reciprocating member 23 moves forward to a certain position, the support pin 13 can no longer move forward due to the control pin 32 contacting a front end of the regular position path 35a, causing the face 10 to move circularly downward. See column 16, lines 19-27 of Shibuya. This is not the same as “an inclining unit to transfer a rotational force to the AV front panel to incline the AV front panel, [and] a rotation transmitting unit to transfer a rotational force of a motor to the inclining unit to incline the AV front panel,” as presently recited in amended independent claim 1, for at least the reason that Shibuya's position changing arm 31 does not receive a rotational force from a motor, but merely acts as a fulcrum which is under complete control of the reciprocating movement of the reciprocating member 23 of Shibuya. That is, instead of a rotational force being applied to Shibuya's position changing arm 31, the control pin 32 and the support pin 13 function together to simultaneously prevent the position changing arm 31 from moving forward while causing the face 10 to move circularly downward. See FIGS. 7A-7C and column 16, lines 19-27 of Shibuya. In summary, there is no transmission of a rotation force to Shibuya's position changing arm 31 by a motor, and the movement of the position changing arm 31 is controlled merely by the reciprocating movement of the reciprocating member 23, the control pin 32, and the support pin 13. Therefore, Shibuya does not teach or disclose, among other things, “an inclining unit to transfer a rotational force to the AV front panel to incline the AV front panel, [and] a rotation transmitting unit to transfer a rotational force of a motor to the inclining unit to incline the AV front panel,” as presently recited in amended independent claim 1.

Furthermore, since the reciprocating member 23 of Shibuya is the sole contributor to the movement of the position changing arm 31, Shibuya further does not teach or disclose, among other things, “an opening and closing unit to couple with the inclining unit to open and close the AV front panel in response to a combination of the transferred rotational force of the rotation

transmitting unit and the linear movement of the converting means.” In other words, although Shibuya includes the reciprocating member 23, which is similar (but not the same as) Applicant’s “converting means,” Shibuya does not include a separate opening and closing unit as presently recited in independent claim 1 of Applicant’s invention.

It is well established that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as contained in the...claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). “The elements must be arranged as required by the claim...” In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Accordingly, since Shibuya does not teach or disclose all of the elements set forth in independent claim 1, withdrawal of this rejection and allowance of this claim are respectfully solicited.

Dependent Claims 2-4

With respect to claims 2-4, it is respectfully submitted that for at least the reason that claims 2-4 depend from independent claim 1, which is patentably distinguishable from Shibuya for at least the reasons provided above, and therefore contain each of the features as recited in independent claim 1, dependent claims 2-4 are also patentably distinguishable from Shibuya, and withdrawal of this rejection and allowance of these claims are respectfully solicited.

New Claims

New claims 5-11 have been added. Support for new claims 5-11 can be found in the specification and drawings, for example, in FIGS. 3, 4 and 7-9 and on pages 8-12. The cited prior art also fails to teach or disclose, among other things, “an arm link rotatably fixed to the AV front panel at a first end thereof to direct the movement of the AV front panel along a predetermined trajectory and to slide along a fixed axis and rotate thereabout at a second end thereof, an inclining unit to control a rotation of the arm link, a transmitting unit to transmit a first rotational force to the inclining unit, and a converting unit to control an angle of inclination of the AV front panel,” as recited in independent claim 5. Accordingly, allowance of new independent claim 5 is respectfully requested.

In addition, new claims 6-11 depend from independent claim 5 and further define characteristics recited therein. Accordingly, it is respectfully submitted that new claims 6-11 do not present new matter, and are allowable over the prior art of record, and allowance of these claims is earnestly solicited.

Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,

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